

To: CN=George Meyer/OU=R2/O=USEPA/C=US@EPA[]
Cc: []
Bcc: []
From: CN=Lenny Grossman/OU=R2/O=USEPA/C=US
Sent: Wed 2/15/2012 6:08:36 PM
Subject: TRANSLATED - Ponencia Sea Grant VISTAS CENIZAS TOXICAS
ruperto.chaparro@upr.edu
osvaromer@gmail.com
[\(787\)832-3585](tel:(787)832-3585)

Reaction of Sea Grant, University of Puerto Rico to House Joint Resolution 877 which orders regulating the use of ash generated by the AES as a result of burning coal to produce electricity.

The Sea Grant Program at the University of Puerto Rico (PSGUPR) is deeply concerned by the inadequate management of the Environmental Quality Board (EQB) of Puerto Rico offers the addition of coal ash, a product of burning coal to energy generated by the AES plant in Guayama Puerto Rico. These toxic ash or added, contain heavy metals including arsenic, mercury, lead and thallium, which even in minute concentrations, they have the ability to affect human health and contaminate land and water resources if not managed with regulations rigor and control.

If I worry about the lax management offered by the CAB at the disposal of toxic coal ash generated by the AES, much more concerned about how irresponsible I in the Department of Natural and Environmental Resources (DNER) clears the matter and I quote: "We give deference to environmental considerations attaching to the JCA, in the use of ash as filler product from burning coal." Obviously the DNER not understand the risk posed by these ashes to be used as filler in the municipalities of Guayama , Arroyo and Salinas areas, residential areas and near wetlands, water, nature reserves and from our shores. As indicated in the communication of 7 November 2011 Ms Judith Enck, EPA Regional Administrator to Mr. Pedro Nieves Miranda, Chairman of the JCA, and I quote: "A 2007 EPA report documents cases from damage Known the mismanagement of coal ash in unlined landfills and surface impoundments and the contamination of drinking water Subsequent Through the aquifers and ground water leaching of contaminants transport in the ash. "It must be worrying for the agency responsible for managing a resource as important as our water reserves, our reserves, wetlands, coral reefs, mangroves and fisheries, do not give importance to such a serious threat, recognized and documented by the EPA.

These toxic ash, better known as Agremax create a serious problem when available, since the AES power plant produces about 600 tons per day or 5 million pounds of ash per year. As you can imagine storing this large amount of toxic ash, is a threat to the health of our townspeople, especially children and threatens contamination by runoff and / or percolation, our aquifers and coastal and marine natural resources. This situation is further complicated by the lack of rigor of the JCA to classify Agremax as a "beneficial product" without defining engineering controls as required, or to limit adverse environmental impacts. The EQB should classify these toxic ash in waste management or waste, if it is intended to remedy the environmental disaster that generated with the distribution and storage of Agremax in wetlands, residential areas, on aquifers and near bodies of surface waters. The regulations proposed by EPA states that "... EPA recognizes damage Proven That seven cases Involving the large scale placement, akin to disposal, of [coal combustion waste] under the guise has occurred of" beneficial use "... and That "... THEREFORE , today's PROPOSED RULE Explicitly These types of use Removes from the category of beneficial use ... "(75 FR 35161). It is disturbing that the EPA has taken steps to correct the situation with the alleged beneficial uses and the negative impacts and that the JCA insist on not recognizing the risks in this way represent categorize. The EQB must handle the toxic ash produced by AES as toxic waste, what they are.

After reading the R.C. of C. 877 I had to stop to think if the information I read was related to the fountain of youth, or a natural medicine to cure on all diseases and dolamas and restored ecosystems, by the mere contact with them. The Sea Grant Program at the University of Puerto Rico has a great concern about the impacts these toxic ash may have on our population, our water resources and not least in our

fisheries, wetlands, mangroves, seagrass beds, in waters and coastal resources and coral reefs.

It would be a grave error, validate the outrage that is being carried out with the classification, use and distribution of these toxic ash as beneficial uses to support this project, which obviously has not had serious scientific advice. If the aim is to develop regulations to ensure the safe disposal of these toxic materials, I recommend that a review be undertaken by the states of Wisconsin and Rhode Island, states that have addressed this issue seriously and diligently. If you are looking for cases of states that have faced serious environmental problems of driving in an irresponsible manner these ashes may review the records in Indiana and Maryland EPA and 24 other states, which suffer from heavy metal contamination of their water supplies as a result of incorrect use of the toxic ash coal.

Puerto Rico would need legislation and regulations aimed at controlling deposits and uses of coal ash. This legislation must be to the north, ensuring the health of its citizens and the preservation of our waterways and other natural resources. A good start is classified as hazardous waste.

----- Forwarded by Lenny Grossman/R2/USEPA/US on 02/15/2012 01:08 PM -----

From: Carl Plossl/R2/USEPA/US
To: grossman.lenny@epa.gov, George Meyer/R2/USEPA/US@EPA
Date: 02/15/2012 12:54 PM
Subject: Fw: Ponencia Sea Grant VISTAS CENIZAS TOXICAS

----- Forwarded by Carl Plossl/R2/USEPA/US on 02/15/2012 12:54 PM -----

From: Jose Font/R2/USEPA/US
To: Phil Flax/R2/USEPA/US@EPA, Carl Plossl/R2/USEPA/US@EPA
Date: 02/15/2012 12:47 PM
Subject: Fw: Ponencia Sea Grant VISTAS CENIZAS TOXICAS

More on the ashes.

Jose C. Font, Deputy Director
U.S. EPA - Region 2
Caribbean Environmental Protection Division
Phone: 787-977-5815
Fax: 787-289-7982

----- Forwarded by Jose Font/R2/USEPA/US on 02/15/2012 12:47 PM -----

From: "gloriaypedro gelabseert" <gelabert@onelinkpr.net>
To: Jose Font/R2/USEPA/US@EPA, "Pjn" <pnieves51@gmail.com>
Date: 02/15/2012 12:33 PM
Subject: FW: Ponencia Sea Grant VISTAS CENIZAS TOXICAS

For your information.

Subject: Ponencia Sea Grant VISTAS CENIZAS TOXICAS

----- Forwarded message -----

From: Ruperto Chaparro Serrano <ruperto.chaparro@upr.edu>
Date: 2012/2/14
Subject: Ponencia Sea Grant
To: Osvaldo Romero <osvaromer@gmail.com>

Osvaldo: Adjunto la ponencia de Sea Grant sobre la RC de la C 877. Chapa

--

Ruperto Chaparro

Director

Programa Sea Grant

Universidad de Puerto Rico

P.O. Box 9011

Mayaguez, PR 00681-9011

Tel: (787)832-3585, 8045 Fax 265-2880: [attachment "Hon. Luz M. Santiago.doc" deleted by Lenny Grossman/R2/USEPA/US]